

Decree-Law No. 31 of 2002 on radiation protection

I, Hamad bin Khalifa Al Thani, Emir of the State of Qatar,

Taking into consideration

The interim amended Basic Law, in particular, articles 23, 27 and 34,

Decree-Law No. 1 of 2000 on the Supreme Council for the Environment and Nature Reserves,

Decree No. 54 of 1992 on ratification of the Revised Supplementary Agreement Concerning the Provision of Technical Assistance by the IAEA to the Government of the State of Qatar,

The proposal of the Chair of the Supreme Council for the Environment and Nature Reserves,

The bill presented by the Council of Ministers,

Decree as follows:

Article 1

For the purposes of the present Law, the following terms and expressions shall have the meanings as indicated unless the context otherwise requires:

The Council: The Supreme Council for the Environment and Nature Reserves.

The Secretary-General: The Secretary-General of the Council.

The General Secretariat: The General Secretariat of the Council.

The Committee: The Radiation Protection Committee.

Radiation: Ionizing or non-ionizing radiation.

Ionizing radiation: All neutral or charged particles or electromagnetic radiation that, upon coming into contact with a substance, directly or indirectly cause that substance to become ionized. These include alpha and beta particles, neutrinos, electrons, gamma radiation and x-rays.

Non-ionizing radiation: All forms of radiation that, upon coming into contact with a substance, do not directly or indirectly cause that substance to become ionized, such as laser beams.

Radioactive material: A substance that emits ionizing radiation, such as alpha and beta particles, gamma radiation and neutrinos.

Radioactive source: Any physical material that, by emitting ionizing or non-ionizing radiation or by releasing or leaking radioactive material, can cause radiation exposure.

Radiation-generating device: A device, not containing radioactive material, in which processes are carried out to obtain ionizing or non-ionizing radiation.

Article 2

The Council shall supervise the regulation and oversight of the use of radioactive materials and sources and the prevention of the associated dangers. To that end, the Council shall, among other things:

1. Put in place regulations, dispositions, instructions and technical guidelines to prevent radiation dangers, in addition to standards and requirements to prevent such dangers during all operations and practices involving radioactive materials and sources and radiation-generating devices;
2. Introduce national limits and standards for all forms of radiation exposure, regulate radiation exposure levels and set limits for radiation pollution in the air, water, food, soil and all commercial products;
3. Review, audit and evaluate radiation measurements taken by users of radioactive materials, radioactive sources or radiation-generating devices, verify the accuracy of such measurements, conduct all measurements of environmental radiation at the national level to ensure that prevention standards are upheld, and identify radiation threats posed to people or the environment as a result of radioactive materials or sources located both within and outside the country;
4. Examine licence applications for activities and operations provided for under article 6 of this Law and issue the necessary licences;
5. Oversee radioactive waste management, manage the centralized disposal of radioactive materials and associated waste in Qatar, draw up all necessary regulations, dispositions, instructions and technical guidance for handling radioactive waste and the rules for its disposal, and ensure that permitted concentration and dosing levels are not exceeded;
6. Conduct regular and unannounced inspections of facilities, operations and activities involving radioactive sources or radiation-generating devices and of sources, devices and locations that affect such sources;
7. Carry out continuous radiation monitoring, measure all forms of environmental radiation and provide early alerts of any radiation dangers resulting from domestic sources or from events outside the country;
8. Approve the training curriculum for all persons working in the field of ionizing radiation, promote scientific awareness and a safety culture regarding radiation protection and nuclear safety, encourage research and studies and organize seminars and conferences to enhance protection from ionizing radiation at the local, regional and international levels.

Article 3

The Ministry of Public Health is responsible for issuing licences for activities related to medical radiation applications. It shall coordinate with the Council regarding licensing requirements and conditions.

Article 4

An expert technical committee – to be called the Radiation Protection Committee – shall be formed and shall be chaired by the Secretary-General. The Committee's membership shall comprise representatives of the following entities:

1. The Ministry of Defence

2. The Ministry of the Interior
3. The Ministry of Energy and Industry
4. The Ministry of Public Health
5. The Ministry of Municipal Affairs and Agriculture
6. Qatar General Electricity and Water Corporation
7. Hamad Medical Corporation
8. Qatar University
9. Qatar Petroleum
10. The General Authority of Customs and Ports
11. The Qatar General Organization for Standards and Metrology
12. The General Secretariat of the Council, serving as member and rapporteur

Each entity shall nominate a representative to the Committee. The members and working procedures shall be confirmed in a decision issued by the Chair of the Council.

The Committee shall have recourse to any experts or specialists required to assist it in completing its work and may request that they attend meetings of the Committee without granting them the right to vote.

Article 5

The Committee shall have the following responsibilities:

1. Preparing a public plan to protect against radiation dangers in the country, deciding the missions and responsibilities of the competent authorities with regard to implementing the provisions of this Law, designing a proposal for a mechanism to coordinate the efforts of the Council and the administrative bodies involved in protecting against ionizing radiation, and developing and overseeing programmes to implement the public radiation protection plan;
2. Setting maximum limits for radiation exposure and for the concentration of radioactive materials in the air, water, food and soil, in the light of relevant technical studies and global averages;
3. Providing opinions and advice on issues related to radiation protection;
4. Setting the conditions and procedures for the disposal of radioactive waste;
5. Studying cases of radiation poisoning and environmental pollution resulting from radiation leaks, identifying the causes and working with the relevant agencies to limit, prevent and rectify such cases;
6. Drawing up emergency preparedness and response plans for nuclear or radioactive incidents at the national level, and reviewing and adopting radiation emergency plans developed by users of radioactive sources, in cooperation with the relevant administrative agencies.

Article 6

The following activities and practices may be carried out only by holders of the relevant licence issued by the Council:

1. Importing, exporting, possessing or transporting radioactive materials;
2. Carrying out, modifying or ceasing any activity or practice involving radioactive materials or sources or radiation-generating devices;
3. Designing, manufacturing, producing, possessing, importing, exporting, selling, purchasing, delivering, receiving, loaning, borrowing, using, marketing or disposing of any form of radioactive material or source or radiation-generating device;
4. Selecting a site at which to carry out any activity involving radioactive materials or sources or radiation-generating devices, constructing any sort of building for such activities or making changes to any such site or building;
5. Working with ionizing or non-ionizing radiation or acting in a position of expertise or responsibility regarding radiation protection.

Activities related to the medical applications of radiation may also be carried out only by licence holders in accordance with article 3 of this Law.

Article 7

In the area of radiation protection, the Council can issue the following licences:

1. Individual licences for persons who work with radiation in various capacities;
2. Institutional licences, including site, facility and activity licences. The implementing regulations shall specify the types of licences available, the requirements, the validity periods, the conditions and procedures for obtaining, renewing, surrendering or cancelling a licence, and the rights of individuals who work with radiation.

Article 8

Licence holders must implement the provisions of this Law by:

1. Taking the necessary precautions to ensure the safety of individuals and employees who work with radiation, protecting the environment against the dangers resulting from radiation exposure and observing all instructions issued by the Council;
2. Putting in place a detailed plan and internal rules to protect against radiation from licensed materials in order to prevent incidents and harm occurring and avoid the possible repercussions of such events. Such plans and rules will not become valid until they have been approved by the Council;
3. Providing personal protective equipment and all technical equipment required to monitor and measure radiation exposure, as required by the nature of the activity;
4. Providing the necessary technical and health services to protect employees and the public and keeping records as required by the Council in coordination with the competent administrative agencies;

5. Appointing a focal point for radiation protection to ensure that rules and procedures for radiation protection are upheld during any event that could expose employees or the environment to the dangers of radiation;
6. Including in all contracts for the importation of radioactive materials or sources a provision specifying that all such materials and sources shall be returned to the supplier once they are no longer needed.

Article 9

The permitted levels of radioactivity and concentration of radioactive materials in, inter alia, food, water, air and soil must not be exceeded.

The implementing regulations shall set out the permissible levels for radiation pollution, guided by the limits in the radiation protection standards issued by the relevant international institutions and agencies, in particular the International Atomic Energy Agency.

Article 10

Without prejudice to any higher penalty that may be prescribed in the Criminal Code or any other law, any person who violates article 8 of this Law shall be subject to a penalty of up to one year of imprisonment and/or a fine of up to 100,000 riyals.

Any person who violates article 6 or 9 of this Law shall be subject to a penalty of up to five years of imprisonment and/or a fine of up to 200,000 riyals.

The penalty shall be doubled for repeat offences. For this purpose, the offences set out in articles 6, 7 and 9 are considered analogous.

The penalty shall be doubled if, as a result of the offence, any person is rendered ill, disabled or partially or wholly incapacitated because of radiation exposure.

Article 11

Without prejudice to any higher penalty that may be prescribed in the Criminal Code or any other law, any person who provides or accepts a false certificate or an incorrect report in relation to the implementation of the provisions of this Law shall be subject to a penalty of between one and three years of imprisonment and/or a fine of between 50,000 and 200,000 riyals.

Article 12

In the event that radioactive materials or sources or radiation-generating devices are imported, held in possession or traded without a licence, the Council shall assume administrative control over the items and shall store them with the appropriate agency or in any other place deemed suitable. The Council may choose to return the imported items to their originator, taking all necessary preventive measures at the expense of the offender, or to transfer the items to the competent agency as defined by law.

Article 13

Without prejudice to any penalties prescribed in this Law, the Council may order any licence holder who fails to take the necessary radiation protection measures to cover the cost of all measures required to rectify the situation.

Article 14

If an offender, or any entity on whose behalf or for whose benefit an offence is committed, is a legal person, the legal representative of the legal person shall, as an accomplice to the original offender, be subject to the penalties provided for in this Law.

The representative of the legal person shall not be subject to punishment if it is proven that the offence was committed without the representative's knowledge or against the representative's will, that the offence harmed the representative, that the representative had delegated tasks under his or her responsibility to a third party or that the representative had made reasonable efforts to prevent the offence, albeit to no avail.

Article 15

All existing facilities and professionals working in the field of radiation at the time that the present Law comes into force must come into line with the provisions contained herein within six months from the entry into force of the implementing regulations.

Article 16

Employees of the General Secretariat appointed by decision of the Chair of the Council may use the title of judicial arrest officer. During the verification of offences committed in violation of the provisions of this Law, its implementing regulations and all implementing decisions, the title of judicial arrest officer is also applicable to employees of other administrative agencies appointed to the Council for this purpose. Judicial arrest officers shall have the authority to search any premises at which activities involving radiation are conducted. They may also, at any time, enter any premises at which an offence has been committed, issue arrest reports and take the relevant legal measures.

Article 17

After coordinating with the relevant administrative agencies, the Chair of the Council shall issue the implementing regulations and the decisions required to implement the provisions of this Law within six months of the date of entry into force of this Law.

Article 18

Any judgment that violates the provisions of this Law shall be deemed invalid.

Article 19

All competent bodies are to implement this Law within their respective areas of competence. This Law shall be published in the Official Gazette.

Hamad bin Khalifa Al Thani
Emir of the State of Qatar

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